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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/014,626

10/22/2001

Ridha M. Hamza

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02/19/2004

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EXAMINER

BHAT, ADITYA S

ART UNIT

PAPER NUMBER

2863

DATE MAILED: 02/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/014,626	HAMZA, RIDHA M.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Aditya S Bhat	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 24 and 32 is/are rejected.
- 7) ☒ Claim(s) 3-23, 25-28 and 30 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Objections***

Claims 22-23 are objected to because of the following informalities: Claim 22 should recite "The system of claim 1..." or should be placed in independent form. Currently the claim is written in independent form, however it refers to another independent claim. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 24 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Jyumonji (USPN 5,987,591).

With regards to claim 1, Jyumonji (USPN 5,987,591) teaches a plurality of sensors each providing a location of the object with an associated sensor uncertainty distribution; (Col. 3, lines 60-65) and

a data processor for combining the location data from selected sensors and the distributions to generate a value indicative of the most likely position of the object. (201; figure 4)

With regards to claim 2, Jyumonji (USPN 5,987,591) teaches the associated sensor uncertainty distribution is dependent on one or more performance characteristics for the sensor. (Col. 3, lines 64-65)

With regards to claim 24, Jyumonji (USPN 5,987,591) teaches a method for determining a most likely position of an object, said method comprising:

receiving location data and an uncertainty distributions for the object from each of a plurality of sensors; (Col. 3, lines 60-65)

combining the location data and the uncertainty distributions to generate a value indicative of the most likely position of the object, (Col. 3, lines 55-65) and

combining the location data and the uncertainty distributions to generate a probability distribution for the most likely position of the object. (201; figure 4)

With regards to claim 32, Jyumonji (USPN 5,987,591) teaches a method for determining a most likely global position of an object, said method comprising:

providing two or more local systems, wherein each local system includes at least one sensor that provides location data and a probability distribution for the object; (Col. 3, lines 60-65) and

combining the location data and the probability distribution from at least selected

local systems to generate a value indicative of the most likely global position of the object. (Col. 3, lines 55-65)

### ***Allowable Subject Matter***

The following is a statement of reasons for the indication of allowable subject matter:

Claims 3-21, 25-28 and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-2, 24 and 32 have been considered but are moot in view of the new ground(s) of rejection.

During patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification." Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

While the meanings of claims of issued patents are interpreted in light of the specification, prosecution history, prior art and other claims, this is not the mode of claim interpretation to be applied during examination. During examination, the claims must be interpreted as broadly as their terms reasonably allowed. This means that the

words of the claim must be given their plain meaning unless applicant has provided a clear definition in the specification. In re Zletz, 893 F.2d 319, 321, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989).

Although, Jyumonji (USPN 5,987,591) teaches a multiple sensor robot system for obtaining two and three dimensional image positions. The prior art when interpreted in its broadest possible meaning reads upon the claimed invention.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Brown (USPN 5,311,194) teaches a GPS precision approach and landing system for an aircraft, Gounon et al. (USPN 5,757,314) teaches a method and apparatus for accurately determining the position of a masked point by satellite, Frei (USPN 5,252,982) teaches a method of precise position determination, Cohen et al. (USPN 5,572,218) teaches a system and method for generating precise position determinations, Pedersen et al. (USPUB 2002/0026431) teaches a fire detection system and Horvitz et al. (USPN 6,499,025) teaches a system and method for tracking objects by fusing results of multiple sensing modalities.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aditya S Bhat whose telephone number is 703-308-0332. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 703-308-3126. The fax phone numbers for

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the organization where this application or proceeding is assigned are 703-308-5841 for regular communications and 703-308-5841 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Aditya Bhat  
February 5, 2004

  
John Barton  
Supervisory Patent Examiner  
Technology Center 2800